IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3373 OF 2001
IN
CRIMINAL REVISION APPLICATION NO.350 OF 2000

Kavita Patil ...Applicant
vs.
Divyakant A. Patel & Ors. ...Respondents

Mr.A.A.Gerge for the Applicant
Mr.R.D.Suryawanshi for Respondent Nos.1 to 3
Ms M.M.Deshmukh,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 25,2005

P.C.:

1. Heard Advocate for the Applicant, Advocate for Respondent nos.1 to 3 and the learned A.P.P. for Respondent No.5. The Advocate for the applicant states that Affidavit of service of notice to the Respondent no.4 is already filed.

2. This Application is for condonation of delay. The Application is opposed by the Advocate for the Respondent Nos.1 to 3 by pointing out that delay is of more than one year and there is no explanation for delay.

3. In my view, though the delay is of more than one year, liberal approach will have to be adopted in the light of averments made in paragraph No.4 of the application. Prejudice which may be caused to the Respondents can be always compensated by ordering payment of costs. Accordingly, Application is allowed in terms of prayer clause (a). The Applicant is directed to pay costs of Rs.500/- each to the Respondent Nos.1 to 3. Place the Revision Application for admission after vacation.

JUDGE